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SENATE

{ REPORT
No. 1975

LIAN-TONG WEN

JUNE 27, 1952.—Ordered to be printed

Mr. McCARRAN, from the Committee on the Judiciary, submitted the following

REPORT

[To accompany S. 1613]

The Committee on the Judiciary, to which was referred the bill (S. 1613) for the relief of Lian-Tong Wen, having considered the same, reports favorably thereon with amendments and recommends that the bill, as amended, do pass.

AMENDMENTS

1. Strike all after the enacting clause and insert in lieu thereof the following:

That for the purposes of the immigration and naturalization laws, Lian-Tong Wen and Kim Fong Chen shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this Act upon payment of the required visa fees and head taxes. Upon the granting of permanent residence to such aliens as provided for in this Act, the Secretary of State shall instruct the proper quota-control officer to deduct two numbers from the appropriate quota for the first year that such quota is available.

2. Amend the title to read:

A bill for the relief of Lian-Tong Wen and Kim Fong Chen.

PURPOSE OF THE BILL

The purpose of the bill, as amended, is to grant the status of permanent residence in the United States to Lian-Tong Wen and Kim Fong Chen. The bill provides for appropriate quota deductions and for the payment of the required visa fees and head taxes.

STATEMENT OF FACTS

The beneficiaries of the bill are husband and wife and they are 45-year-old natives and citizens of China, who last entered the United States as visitors on June 17, 1950. Mr. Wen was previously in the United States from 1944 to 1947 as a major in the Chinese Air Force. Mr. Wen is an inventor and states that he has four patents in connection with aircraft and that he had reached an agreement with an instrument manufacturer for the marketing of his inventions.

Letters dated August 20, 1951, and January 5, 1952, to the chairman of the Senate Committee on the Judiciary from the Deputy Attorney General in connection with the case read as follows:

AUGUST 20, 1951.

Hon. PAT McCARRAN,
Chairman, Committee on the Judiciary,
United States Senate, Washington, D. C.

MY DEAR SENATOR: This will acknowledge receipt of your letter of August 13, 1951, to the Attorney General, concerning a private immigration bill (S. 1613) for the relief of Lian-Tong Wen.

In accordance with your request the Department's report on the bill will be written to include information concerning both Mr. Lian-Tong Wen and his wife, Kim Fong Chen.

Yours sincerely,

PEYTON FORD,
Deputy Attorney General.

JANUARY 5, 1952.

Hon. PAT McCARRAN,
Chairman, Committee on the Judiciary,
United States Senate, Washington, D. C.

MY DEAR SENATOR: This is in response to your request for the views of the Department of Justice relative to the bill (S. 1613) for the relief of Lian-Tong Wen. In accordance with your request of August 13, 1951, information is also being included regarding Mr. Wen's wife.

The bill would provide that Lian-Tong Wen shall be considered to have been lawfully admitted to the United States for permanent residence as of the date of its enactment upon payment of the required visa fee and head tax. It would also direct the Secretary of State to instruct the quota control officer to deduct one number from the appropriate quota.

The records of the Immigration and Naturalization Service of this Department reflect that Mr. Wen, who is of the Chinese race, was born at Amoy, Fukien, China, on December 1, 1905, and is a citizen of that country. He was married on June 1, 1936, in China to Kim Fong Chen, a citizen of The Netherlands of the Chinese race, who was born at Singkawang, Boreneo, Dutch East Indies, on June 29, 1905. Mr. and Mrs. Wen last arrived in the United States at the port of San Francisco, Calif., on June 17, 1950, and were admitted as temporary visitors to September 17, 1950, under Section 3 (2) of the Immigration Act of 1924.

Mr. Wen had been previously in the United States from 1944 to 1947. He stated that he joined the Chinese Air Force in May 1944, and served in China until December 1944, when he held the rank of major and was sent to the United States to study the manufacture of aircraft engines and the maintenance of civil aviation. He was 1 of approximately 24 Chinese aviation students who were trainees at the Aviation Corp., Williamsport, Pa., from December 1944 to February 1946. He was later stationed in New York, N. Y., until he left for China in February 1947. He joined Mrs. Wen in Shanghai, China, in May 1947. Mr. Wen said that he was an engineer in aviation for the Central Air Transport Corp. of China before leaving China for Hong Kong with Mrs. Wen in August 1949. In their applications for their visitor's visas executed at the American consulate, Hong Kong, on May 8, 1950, they indicated that their home was in Hong Kong.

Mr. and Mrs. Wen reside in New York City. They have no children. Mr. Wen said that he is an inventor-engineer and came to the United States to promote an invention. He stated on July 19, 1951, that he was negotiating with a

Cleveland, Ohio, instrument manufacturer concerning his invention. He has been employed since July 24, 1951, as a blueprint reader by a plastics firm in New York, N. Y., at a salary of \$1.25 per hour. He said that he brought \$3,000 in cash and some of his wife's jewelry to the United States. Mrs. Wen advised that she had been a school teacher in a Chinese school in Java and in 1943 worked as a clerk for the Ministry of Finance in China. She said that she has not been employed since coming to the United States. She stated that she wanted to come to this country since she was a child. According to Mr. and Mrs. Wen, no members of their families now reside in China. They advised that their families are at present in Java and Borneo.

The Chinese racial quota, to which Mr. and Mrs. Wen are chargeable, is oversubscribed and an immigration visa is not readily obtainable. The record fails to present consideration which would justify granting Mr. and Mrs. Wen a preference over other Chinese persons who desire to obtain the benefits of residence in the United States, including minor children of American citizens, but who remain abroad and await their regular turns for the issuance of immigration visas. To enact this bill might encourage other aliens, who are unable to obtain quota immigration visas because of the oversubscription of the quotas to which they are chargeable, to gain entry into the United States as visitors and then endeavor to stay permanently.

Accordingly, the Department of Justice is unable to recommend the enactment of this measure.

Sincerely,

A. DEVITT VANECH,
Deputy Attorney General.

Senator Edward Martin, the author of the bill, has submitted a number of letters and documents concerning the beneficiaries of the bill, among which is the following letter:

NEW YORK 23, N. Y., March 25, 1952.

Refer special bill S. 1613.

SENATE COMMITTEE ON THE JUDICIARY,
Senate Office Building, Washington, D. C.

DEAR SIR: I was informed by Senator Edward Martin a few days ago about the postponement of the special bill, S. 1613, he introduced for me on June 8, 1951. He advised me to submit to you directly with more evidences for your consideration. May I therefore submit this for your perusal.

My immediate evidence for you consideration are the following, in which a part has been written as a current report to the Immigration and Naturalization Service in New York several weeks ago.

(1) My patented inventions in instrumentation have actually had its merit proven by the fact that I have recently reached an agreement with a reputed instrument manufacturer. A photostat of the agreement is enclosed.

(2) Since my reentry to this country I have filed four patents, and in the items for aircrafts they are—

(a) a booster for jet engine to produce more than 30 percent increase of thrust, making it possible for jet engine to be used in transport planes and lighter-than-air aircrafts. The jet engine is now used exclusively for fighter planes only.

(b) a type of lighter-than-air aircraft resembles a flying saucer equipped with jet engines.

(c) Elevarons, a mechanism to eliminate a pair of control surfaces to reduce air drag of a plane in order to obtain higher speed and also to simplify the structural designs which are both the biggest problems of the transonic aircraft designs.

I still have ideas to be developed for the benefit of this country and hoping that I can have an undisturbed mind to be able to speed up their developments, while at present the uncertainty of my status has always disturbed my line of thought in my work.

The ability to work from a mechanic to a chief engineer in an airlines like myself, was not common in China, because to maintain modern aircrafts with lack of parts, equipments, materials, and trained personnels required not only knowledge but also experiences. At the highest period I kept 50 planes in operation and holding better safety records than other well-equipped airlines also a record earning more than 10 million United States dollars in 2 years. My staffs were

all Chinese, because American engineers would not accept our low pay standard, which was another draw-back that I had to handle.

Although I made some successes in China both in my work and invention yet I was very much handicapped with the lack of facilities, and the backward environment I was in. If I were born and lived in America I am quite sure that with all the facilities and the ability to keep up with all progresses, my result would have been more. It requires a number of good inventors to make up a prosperous America and I do wish to be one of them.

May I request your kindness to reopen my case for consideration. I can assure that if in term of moral, character, belief, and ability to serve the country as well as my past records, for the passage of the bill then in all cases I know I will not be below standard. I hereby request from the deepest of my heart that you will try to know me better in order to justify my words.

I am enclosing a more detail description of my past for your perusal. I believe that it will be a help for your investigation.

With kindest regards,

Respectfully yours,

LIAN-TONG WEN.

The documents referred to in the above-quoted letter are contained in the files of the Senate Committee on the Judiciary.

The committee, after consideration of all the facts in the case, is of the opinion that the bill (S. 1613), as amended, should be enacted.

